REMARKS

Claims 1-28 were pending in the application prior to amendment. Claims 1-28 stand variously rejected under 35 U.S.C. 102 and 103 as allegedly being unpatentable over one or more of U.S. Patent No. 6,381,650 to Peacock ("Peacock") and U.S. Patent No. 6,295,527 to McCormack et al. ("McCormack").

In response, claims 1, 7, 11, and 22 have been amended. No new matter is added. In addition, please add new claim 29. Claim 29 is supported in the specification; for example at page 4, paragraph 0013 to page 5 paragraph 0017, and FIG. 2 (packets 200 include a header portion including a target field 214 and a separate message type field 218). Claims 1-29 are now pending.

In view of the amendments and remarks herein, the rejections are respectfully traversed. Reconsideration and allowance are respectfully requested.

The Rejections under 35 U.S.C. 102 and 103

Claim 1

Claim 1 stands rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Peacock. However, claim 1 is patentable over Peacock because Peacock neither teaches nor suggests "receiving a response to the request message from a plurality of client devices identified by the group identifier over a second communication channel," as recited in claim 1 (emphasis added).

The office action alleges that column 5, line 57 to column 6, line 18 teaches "receiving a response to the request message from client devices identified by the group identifier over a second communication channel." However, it is respectfully noted that Peacock does not so teach.

Peacock is directed to "Methods and apparatus for locating a computer system that receives a dynamically allocated IP address..." (Column 2, lines 62-63 of Peacock). Peacock teaches that, in order to locate the computer system, an "Are you there" message is sent. However, Peacock does not teach that a response is received from a plurality of client devices, where the response includes the client information for the associated one of the plurality of client devices.

Instead, according to the cited portion of Peacock, if a response is received, it is a single response ("a response packet," in the singular) from the particular system being located.

At least because the cited portion of Peacock neither teaches nor suggests "receiving a response to the request message from a plurality of client devices identified by the group identifier over a second communication channel," claim 1 is patentable over Peacock.

A different portion of Peacock describes an implementation where the hostname of the "Are you there?" packet matches a

hostname in a server forwarding address file. (Column 7, lines 50-67 of Peacock). In this implementation, the server may respond with an "addressee has moved" packet including associated forwarding information. This portion of Peacock also describes a single response packet. The client program may subsequently send a different "Are you there" packet (including different group identifier information) to the forwarding address.

Claim 1 is thus patentable for at least the additional reason that this portion of Peacock neither teaches nor suggests "receiving a response to the request message from a plurality of client devices identified by the group identifier over a second communication channel," as recited in claim 1.

Claims 2-6 and 29

Claims 2-6 and 29 depend from claim 1 and are therefore patentable for at least the same reasons as outlined above with respect to claim 1.

Claim 2

Claim 2 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Peacock in view of McCormack. However, claim 2 is patentable for at least the additional reason that there is no motivation to modify Peacock to include the feature "dynamically grouping two or more of said clients into a second group having a second group identifier," as recited in claim 2.

The office action alleges that the motivation is that "it would have provided to determine current membership of the device group by retrieving the group criteria data from the database and comparing the group criteria data against device data about devices that currently exist in the network." (Please see paragraph 20 of the office action). However, it is respectfully noted that this does not provide a motivation for modifying Peacock to include the above-referenced feature of claim 2.

The office action alleges in paragraph (5) that the subnet mask for a particular device is a group identifier. Thus, there must be some motivation to modify Peacock to either dynamically change subnet masks for devices, or to include some other type of grouping that may be done dynamically. However, since Peacock uses a systematic process for locating a system, there is no motivation in the cited references to modify Peacock to use dynamic grouping.

In contrast to Peacock's techniques for locating a particular device, McCormack is directed to managing computer networks. McCormack implements filters to group devices in networks so that large, complicated networks can be managed. Thus, a person of ordinary skill in the art would not have been motivated to modify the teachings of Peacock related to locating

a particular device with the teachings of McCormack for managing networks.

For at least this additional reason, claim 2 is patentable over the cited references.

Claim 29

New claim 29 is further patentable because the references neither teach nor suggest that "the client information includes information associated with the particular client device different than client device location information," as recited in claim 29.

As noted above, the purpose of Peacock is to locate a particular system. Peacock neither teaches nor suggests that client information different than location information is requested.

Further, it would not have been obvious to modify Peacock to include this feature of claim 29, since doing so would require substantial modification to the system of Peacock.

For at least this additional reason, claim 29 is patentable over the cited references.

Claim 7

Claim 7 stands rejected under 35 U.S.C. 102(e) as allegedly being unpatentable in view of Peacock. However, claim 7 is patentable over Peacock because Peacock neither teaches nor suggests a request for "client profile information associated

with the group identifier" and "compiling client profile information for responding to the request message," as recited in claim 7.

As noted above, the office action identifies the subnet mask of Peacock as the group identifier of the claims. However, the subnet mask is not associated with client profile information. Instead, the subnet mask merely refers to a particular group of devices. Peacock is not directed to requesting client profile information, but rather to determining a location of a system.

Additionally, Peacock neither teaches nor suggests compiling client profile information for responding to the request message. Instead, Peacock teaches that a response packet may be sent if the correct system is located.

For at least this reason, claim 7 is patentable over Peacock.

Claims 8-10

Claims 8-10 depend from claim 7, and are therefore patentable for at least the same reasons as stated above with respect to claim 7.

Claims 11-28

Independent claims 11, 17, and 21 stand rejected under 35 U.S.C. 102(e) as allegedly being unpatentable in view of Peacock. However, independent claims 11, 17, and 21 include

features similar to those discussed above with respect to claims 1 and/or 7, and are therefore patentable for at least similar reasons. Claims 12-16, 18-20, and 22-28 depend from claims 11, 17, and 21, respectively, and are therefore patentable for at least the same reasons.

CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Claims 1-29 are in condition for allowance, and a notice to that effect is respectfully solicited. If the Examiner has any questions regarding this response, the Examiner is invited to telephone the undersigned at (858) 678-4311.

Please apply $50.00 for the excess claim fee and any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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